

GENERAL SYNOD

SIXTY-FIRST REPORT OF THE STANDING ORDERS COMMITTEE

The Standing Orders Committee has considered miscellaneous points of Synodical procedure and makes some proposals for amendment.

1. The Standing Orders Committee (“the Committee”) presents its 61st report to Synod.
2. The Committee’s membership is as follows—

Appointed members

The Revd Canon Joyce Jones (Chair) (Leeds)
 Mr Geoffrey Tattersall KC (Manchester)
 Mr Clive Scowen (London)
 The Revd Treena Larkin (Lichfield)
 The Revd Susan Lucas (Chelmsford)
 The Revd Amatu Christian-Iwuagwu (London)
 Mrs Karen Czapiewski (Gloucester)

Ex officio members

The Ven Luke Miller (Prolocutor of the Lower House of the Convocation of Canterbury)
 The Revd Kate Wharton (Prolocutor of the Lower House of the Convocation of York)
 Dr Jamie Harrison (Chair of the House of Laity)
 Mrs Alison Coulter (Vice-Chair of the House of Laity)

Miscellaneous points of procedure

Amendments to motions (SO 27)

3. The Committee considered SO 27(6) in response to requests to review the requirement for an amendment to have the support of at least two other members. In particular, the question has been raised as to whether it would be appropriate to require at least 25 members in support. The Committee noted that the purpose of SO 27(6) is to ensure that an amendment may not be moved unless it has at least some support from other members. However, increasing the number of supporters from the current minimum of two would cause significant practical difficulties, both for the member wishing to move the amendment and for Synod staff. Having weighed up the arguments, the Committee has decided that it is content with SO 27(6) as it stands and it therefore proposes no amendment to it.

Petitions (SO 43)

4. The Committee has been asked to consider SO 43 following the presentation of two petitions at the July 2022 group of sessions. That was believed to be the first occasion for many years on which a member had made use of the mechanism under SO 43. The Committee noted that SO 43 contains little by way of procedure but decided that it would not, for now at least, propose any amendments to provide a more detailed structure for the presentation of petitions. The Committee agreed instead that it would keep the matter under review.

Revision following Revision Committee: amendments (SO 59)

5. The Committee has identified a provision where the drafting could be helpfully simplified. Standing Order 59(5) currently requires the Steering Committee, when replying to a proposed amendment to a draft Measure at Revision Stage, to indicate either that it supports the amendment or that it does not support the amendment but wishes the debate to continue. The Committee noted that this proposition could be amended so that the opening words would read simply "If the Steering Committee indicates that it wishes the debate to continue...". The question of whether the Steering Committee supports an amendment or is in any case content for it to be debated is a point which the Steering Committee can indicate when speaking in reply.
6. **The Committee accordingly proposes amendments to achieve that simplification.** Amendments 2 and 3 in the Annex would give effect to that proposal.

Deemed approval (SOs 65 and 106)

7. The Committee has considered the procedure, referred to in SO 65(3) and provided for in many Measures, under which certain subordinate legislation is deemed to be approved unless a single member gives notice to trigger a debate on it. The Committee wishes to review this procedure but recognises that it cannot propose amendments to SO 65(3) unless the Measures setting out the procedure are themselves amended first. The Committee has asked the Legal Office to explore the history of this procedure, to assess possible changes and, if it would be appropriate, to canvass proposals for change with the Ecclesiastical Committee of Parliament.
8. Standing Order 106(6) contains a similar procedure, under which Synod is deemed to have taken note of the annual report of the Archbishops' Council or of its Audit Committee unless a single member of Synod gives notice to trigger a debate on the report. The Committee considers that this is too low a threshold.
9. **The Committee accordingly proposes an amendment to increase from one to five the number of members required to give notice to trigger a debate under SO 106(6).** Amendment 4 in the Annex would give effect to this proposal.

Following motions (SOs 105, 106 and 107)

10. The Committee has considered the procedure applicable to motions commonly referred to as "following motions". Specifically, these are the motions under SO 105(5), (6) or (9) (further motions to ordinary reports), SO 106(9) (further motions to annual reports) and SO 107(4)(b) or (5)(b) (further motions to presentations). The Committee considers that the Synod as a whole should have some involvement in the procedure.
11. **The Committee accordingly proposes to apply 'the 25-member rule' to a following motion, so that debate on it would continue only if those responsible for the report or presentation concerned, or at least 25 members, wish the debate to continue.** Amendment 5 in the Annex would give effect to this proposal. Paragraphs (4) and (5) of the proposed new SO 107A adopt the same simplified form of words as is used in Amendments 2 and 3 to SO 59 (discussed in paragraphs 5 and 6 of this Report).

Questions (SOs 112 and 113)

12. The Committee noted that several questions have arisen on the workings of Question Time at groups of sessions – in particular, the adequacy and clarity of the list in SO 112(1) and the procedure under SO 113(4) and (5) for asking supplementary questions. The Committee wishes to explore these matters and has asked the Legal Office and Central Secretariat to assess possible options for change. At this stage therefore, the Committee does not propose any amendments to SO 112 or 113.

Representatives of other Churches etc. (SOs 120A and 121)

13. There have been some practical difficulties in applying the condition in each of SOs 120A(2) and 121(2) that an Anglican Communion representative or a representative of another Church may speak in debate only “by prior arrangement”.
14. **The Committee accordingly proposes the removal of that condition in each case.** Amendments 6 and 7 in the Annex would give effect to this proposal.

Representatives of Church of England Youth Council (SO 122)

15. Given that the Church of England Youth Council no longer exists, the Committee has considered whether the reference to it in SO 122(1) should be omitted. While agreeing in principle with the desirability of removing redundant provisions, the Committee wanted to find out whether it might be possible to achieve alternative representation of younger people on Synod. The Committee has asked that the subject of youth representation be referred to the Business Committee and the Archbishops’ Council.
16. The Committee is accordingly content with SO 122(1) in its current form and does not propose any amendments to it.

Amendments to the Standing Orders moved by individual members (SO 127)

17. Any amendments to the Standing Orders moved by an individual member in that member’s personal capacity will not have had prior consideration by the Committee and are not subject to ‘the 25-member rule’ or other Synodical control. The Committee does not intend to restrict any member’s power to propose amendments to the Standing Orders but it does take the view that it is important in principle for Synod to have the benefit of the Committee’s analysis before being asked to decide on amendments.
18. Any member who wishes to propose an amendment to the Standing Orders should, if possible, raise the proposal with the Committee. It can then address the proposal in its next report, whether by itself proposing an amendment or by explaining why it has decided not to do so. The Committee considers that, once its report has been published, an amendment by an individual member should be moved only if it relates to a matter in that report. But the Committee believes that, as an exception to that, the Chair should have a discretion to permit an amendment that does not relate to anything in the Committee’s report. The Chair might exercise that discretion in circumstances where, for example, a proposed amendment relates to a matter which could not have been foreseen when the Committee was preparing its report.
19. **The Committee accordingly proposes to introduce procedural requirements to that effect.** Amendments 1 and 8 in the Annex would give effect to this proposal (Amendment 1 is consequential on Amendment 8).

Resignation from certain Committees without resignation from Synod (SO 128)

20. It is not currently possible for a member of the Standing Orders Committee, the Legislative Committee, the Business Committee or the Appointments Committee to resign from that Committee unless the member also resigns from Synod itself. The Committee does not consider that satisfactory.
21. **The Committee accordingly proposes to enable members to resign from any of the Committees in question without also resigning from Synod.** Amendments 9 to 11 in the Annex would give effect to this proposal.

Removal of member from one House to another (SOs 128 and 146)

22. The Committee has considered the meaning and applicability of SOs 128(3)(a) and 146(6)(a) which provide, for each of the Committees referred to in paragraph 20 above and the Crown Nominations Commission, that a vacancy occurs on the removal of an elected member from one House to another. The Committee, having analysed these provisions, noted that they would cover a case where, for example, a member of the House of Clergy (whether elected or ex officio) becomes a diocesan bishop and therefore a member of the House of Bishops. They would also cover a case where an ex officio member of the House of Laity is ordained and therefore becomes an ex officio member of the House of Clergy.
23. The Committee has concluded that SOs 128(3)(a) and 146(6)(a) are sufficiently clear and does not propose any amendments to them.

Crown Nominations Commission: duration of membership (SO 140)

24. The Committee has assessed the effect of the amendments made to the Standing Orders in July 2022 following the proposals in its Sixtieth Report (GS 2276) and has concluded that a few minor consequential and supplementary amendments are required to give full effect to what Synod agreed then.
25. The Committee considers that the references in SO 140 to members elected “by” the House of Clergy “or” the House of Laity are not sufficiently accurate and are not consistent with SO 137(1)(b) and (c), which refer merely to being elected “from” either House. Standing Order 137B(3) provides for a single electorate made up of the members of the House of Clergy and the members of the House of Laity.
26. **The Committee accordingly proposes to replace each reference in SO 140 to being elected “by” either House with a reference to being elected “from” either House.** Amendment 12 in the Annex would give effect to this proposal.
27. It is not currently possible for a member to resign from the Crown Nominations Commission (“the CNC”) without undergoing the automatic consequence of resignation from the Synod itself. Again, the Committee does not think this satisfactory.
28. **The Committee accordingly proposes that there should be a simple power of resignation from the CNC.** Amendments 13 and 14 in the Annex would give effect to that proposal.
29. The policy agreed by Synod in July 2022 for filling a casual vacancy in an elected pair is that the vacancy would be filled only when both members have left the pair and that an election would be held only for a new pair and not to replace just one member. The Committee considers that SO 140(7) does not give effect to this with sufficient clarity.

30. **The Committee accordingly proposes to clarify SO 140(7).** Amendment 15 in the Annex would give effect to this proposal.
31. Standing Order 137(3B) and (3C) provide for substitutes to be chosen if neither member of an elected pair will be able to attend the meetings of a particular CNC. The Committee considers that, as a result, SO 140(9) has become redundant as duplication.
32. **The Committee accordingly proposes the omission of SO 140(9).** Amendment 16 in the Annex would give effect to this proposal.
33. The Committee considers that SO 140(10) requires adjustment in consequence of the introduction of elected pairs. Specifically, the procedure under which the Chair of the House concerned can dismiss a member for persistent non-attendance should now apply to both members of a pair and the period of non-attendance that should elapse before the Chair could dismiss the members should be extended from six to twelve months, beginning with the last time either of the pair did attend a CNC meeting.
34. **The Committee proposes that SO 140(10) should apply to both members of an elected pair and that the period for persistent non-attendance should increase from six to twelve months.** Amendments 17 to 20 in the Annex would give effect to those proposals.
35. The Committee has agreed to review the arrangements for elected pairs in a couple of years to assess whether any changes are required.

Requirement for members to stand to indicate support

36. A number of provisions in the Standing Orders require a member to stand to indicate support or, if “unable to do so”, to indicate support “by some other means”. The quoted wording is intended to address the concern that an unqualified requirement for members to stand might be disability discrimination – see SOs 29(1C), 59(6), 69I(6), 77(8), 82(1)(c), 84(3), 87(9), 89(9) and 90(7).
37. The Committee has been made aware that this requirement has recently attracted criticism from members who can stand, albeit with considerable difficulty, and think that they cannot take the opportunity to indicate support “by some other means”.
38. The Committee recognises the need to act to address this criticism but has decided, before proposing specific textual amendments, to refer the point to the Ministry Division’s Committee for Ministry of and among Deaf and Disabled People for that Committee’s view on how best to approach the issues involved.

Joyce Jones
Chair

January 2023

AMENDMENTS TO THE STANDING ORDERS

Standing Order 11 (Length of notice: special cases)

1. In Standing Order 11, in paragraph (1)(d), after “Standing Orders” insert “under SO 127(6A) or (6B)”.

Explanatory statement: this amendment is consequential on amendment 8 and would ensure that the rules on the period of notice for members to table amendments to the Standing Orders reflect the proposed amendments to SO 127.

Standing Order 59 (Revision following Revision Committee: amendments)

2. In Standing Order 59, in paragraph (5), omit “supports the amendment or that, although it does not support the amendment, it nevertheless”.

Explanatory statement: this amendment would simplify the drafting so that SO 59(5) would begin “If the Steering Committee indicates that it wishes the debate to continue...”.

3. In Standing Order 59, in paragraph (6), omit “supports the amendment or that it”.

Explanatory statement: this amendment is consequential on amendment 2.

Standing Order 106 (Annual reports)

4. In Standing Order 106, in paragraph (6), for the words from “a member” to the end substitute “at least five members of the Synod give due notice that they wish to debate the motion appended to the report; and each member must include in the notice details of the member’s points of concern.”

Explanatory statement: this amendment would provide that the Synod is deemed to take note of the Archbishops’ Council’s annual report or the report of its Audit Committee unless at least five members give notice of their wish for a debate. Currently only one member has to give such notice.

After Standing Order 107

5. After Standing Order 107 insert the following—

“107A Further motions

- (1) This Standing Order applies to a motion under—
 - (a) SO 105(5), (6) or (9) (further motions to ordinary reports),
 - (b) SO 106(9) (further motions to annual reports), or
 - (c) SO 107(4)(b) or (5)(b) (further motions to presentations).

- (2) The mover of a motion to which this Standing Order applies may speak for not more than five minutes; immediately after that, the relevant person may speak in reply.
- (3) The “relevant person” is—
- (a) in the case of a motion referred to in paragraph (1)(a) or (b), the Chair or another member of the body that produced the report in question;
 - (b) in the case of a motion referred to in paragraph (1)(c), a member of the Synod nominated by the Chair on account of that member’s involvement in the presentation or interest in its subject matter.
- (4) If the relevant person indicates a wish for the debate to continue, the debate on the motion continues.
- (5) If the relevant person does not indicate a wish for the debate to continue, the Chair must declare the motion to have lapsed unless at least 25 members indicate that they wish the debate to continue; and if at least 25 members stand in their places or, if unable to do so, indicate by some other means that they wish the debate to continue, debate on the motion is resumed.
- (6) When debate on the motion has come to an end (whether or not following a motion for the Closure) but before the motion is put to the vote, the mover of the motion may speak in reply for not more than three minutes.”

***Explanatory statement:** this amendment would apply the 25-member rule to what are commonly referred to as ‘following motions’, namely further motions to a report or presentation. Debate on a further motion would continue only if the relevant member for the report or presentation agrees or at least 25 members wish the debate to go on.*

Standing Order 120A (Representatives of Anglican Communion)

6. In Standing Order 120A, in paragraph (2), omit “, by prior arrangement,”.

***Explanatory statement:** this amendment would remove the condition that an Anglican Communion representative may speak in debate only by prior arrangement.*

Standing Order 121 (Representatives of other Churches)

7. In Standing Order 121, in paragraph (2), omit “, by prior arrangement,”.

***Explanatory statement:** this amendment would remove the condition that a representative of another Church may speak in debate only by prior arrangement.*

Standing Order 127 (Standing Orders Committee)

8. In Standing Order 127, for paragraph (6) substitute—

“(6) The Committee must make a written report to the Synod on—

- (a) any amendments which it proposes, and
- (b) any proposal for amendment made by a member of the Synod in response to which the Committee does not propose an amendment.

- (6A) A member of the Synod may give notice under SO 11(1)(d) of—
- (a) an amendment to an amendment proposed by the Committee, or
 - (b) an amendment which relates to a proposal included in the Committee’s report under paragraph (6)(b).
- (6B) A member of the Synod may give notice under SO 11(1)(d) of an amendment which does not come within paragraph (6A)(a) or (b); but the amendment may be moved only with the permission of the Chair.
- (6C) The mover of an amendment under paragraph (6A) or (6B) may speak for not more than five minutes; immediately after that, a member of the Committee may speak in reply.
- (6D) If the Committee indicates that it wishes the debate to continue, the debate on the amendment continues.
- (6E) If the Committee does not indicate that it wishes the debate to continue, the Chair must declare the amendment to have lapsed unless at least 25 members indicate that they wish the debate to continue; and if at least 25 members stand in their places or, if unable to do so, indicate by some other means that they wish the debate to continue, debate on the amendment is resumed.
- (6F) Paragraphs (6C) to (6E) do not apply to an amendment which, in the opinion of the Chair, is consequential on an amendment already carried; and the Chair must inform the Synod of his or her ruling.
- (6G) When debate on an amendment has come to an end (whether or not following a motion for the Closure) but before the amendment is put to the vote, the mover of the amendment may speak in reply for not more than three minutes.”

***Explanatory statement:** this amendment would make detailed provision about the right of members to move amendments to the Standing Orders. An amendment from a member would either have to amend an amendment in the Standing Orders Committee’s report or have to relate to some other matter covered by the report. The Chair of the debate could also give a member permission to move an amendment which does not meet either of those criteria. The 25-member rule would apply to members’ amendments. Accordingly, a member’s amendment would be debated only if the Standing Orders Committee agrees or if at least 25 members wish it to be debated.*

Standing Order 128 (Committees: duration of membership)

9. In Standing Order 128, in paragraph (1), after “of a new Synod” insert “; but that is subject to paragraph (1A)”.

***Explanatory statement:** this amendment is consequential on amendment 10.*

10. In Standing Order 128, after paragraph (1) insert—

“(1A) A member of a Committee referred to in paragraph (1), other than an ex officio member, may resign from the Committee by giving notice in writing to the Clerk and to the Chair of the Committee.”

Explanatory statement: this amendment would give a member of the Legislative Committee, Business Committee, Appointments Committee or Standing Orders Committee the right to resign from that Committee without also having to resign from Synod. The member in question would instead continue to be a member of the Synod.

11. In Standing Order 128, in paragraph (3)(b), after “a member of” insert “the Committee or of”.

Explanatory statement: this amendment is consequential on amendment 10.

Standing Order 140 (Crown Nominations Commission: duration of membership)

12. In Standing Order 140, in each of paragraphs (1) to (3), (5), (6)(a), (8) and (10) for “elected by” substitute “elected from”.

Explanatory statement: this amendment and amendments 15 to 20 are consequential on or supplementary to the amendments made in July 2021 to provide a new system of electing pairs of central members of the Crown Nominations Commission. This amendment would acknowledge that the members in question are elected from (rather than by) the House of Clergy or the House of Laity.

13. In Standing Order 140, after paragraph (1) insert—

“(1A) A member elected from the House of Clergy or the House of Laity may resign from the Commission by giving notice in writing to the Chair of the Commission.”

Explanatory statement: this amendment would give a member of the Crown Nominations Commission the right to resign from the Commission without also resigning from Synod. The member concerned would continue as a member of Synod.

14. In Standing Order 140, in paragraph (6)(b), after “a member of” insert “the Commission or of”.

Explanatory statement: this amendment is consequential on amendment 13.

15. In Standing Order 140, for paragraph (7) substitute—

“(7) A vacancy arising in respect of a member of a pair referred to in SO 137(3A) is to be filled only if and when there is a vacancy in respect of each member of the pair; and if those circumstances arise, the two vacancies are to be filled by the election of two members as a pair, with SO 134 to apply with whatever modifications are necessary for the election of a pair rather than an individual.”

Explanatory statement: *this amendment would clarify that a casual vacancy in a pairing of elected central members on the Crown Nominations Commission is to be filled only when both members have left the pairing – so, an election would only be held for a new pair and not to replace just one member of it.*

16. In Standing Order 140, omit paragraph (9).

Explanatory statement: *this amendment would remove a provision that is now redundant in light of SO 137(3B) and (3C), which provide for the appointment of substitutes to a pairing.*

17. In Standing Order 140, in paragraph (10), for “a member” substitute “each member of a pair”.

Explanatory statement: *this amendment would adjust the process potentially leading to resignation which applies where an elected central member persistently fails to attend meetings of the Crown Nominations Commission. The process would instead apply where each member of an elected pair fails to attend the meetings.*

18. In Standing Order 140, in paragraph (10), for “six months” substitute “twelve months from the last attendance of either member of the pair”.

Explanatory statement: *this amendment would increase from six months to twelve months the duration of the period of non-attendance required before the process potentially leading to resignation applies.*

19. In Standing Order 140, in paragraph (10)(a), for “the member” substitute “each member of the pair”.

Explanatory statement: *this amendment is consequential on amendment 17.*

20. In Standing Order 140, in paragraph (10)(b), for “the resignation” substitute “each resignation”.

Explanatory statement: *this amendment is consequential on amendment 17.*